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Connecticut General Assembly
Housing Committee
Legislative Office Building
Room 2700
Hartford, CT 06106

February 27th, 2023

Dear Chair Luxenberg, Chair Moore, Ranking Member Scott, Ranking Member Sampson, and members of the Housing Committee:

I am proud to represent the people of the thirteen towns of the 35th State Senate District.

I am proud to be these past fifteen years the Chair of Woodstock's Planning and Zoning Commission. I have the real world, practical, and long-term experience and knowledge about land use planning and zoning, including but not limited to affordable housing.

I am providing to you my testimony on HB 6633, HB 5326, and HB 66781.

I am opposed to HB 6633.

I am supportive of HB 5326.

I am opposed to part of HB 6781.

The people of Connecticut know best what is best for the towns in which they live.

Let me repeat this point because it is fundamentally important.

The people of Connecticut know best what is best for the towns in which they live.

HB 6633 does not create an inclusive, collaborative, meaningful way to tackle the issue of affordable housing in Connecticut.

I am an advocate for addressing the need for affordable housing in our state. Our state is becoming more and more unaffordable by the day. We should work to create greater access to sustainable, responsible workforce and affordable housing for Connecticut residents. We should work toward housing that is attainable by people all across the state, keeping in mind that each town and city is unique. For example, employer-provided housing, duplex and multi-family apartments, accessible dwelling units, farm housing, and different types of senior housing should be counted as "affordable" in meeting any threshold set by the State for each municipality regarding the number of affordable housing units in each town and city.

As an elected official in Woodstock, I know first-hand that good public policies and land use regulations require common sense. HB 6633 may be well-intentioned in a general term (although it can still be argued that the

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intention is not well-intentioned because it advocates a continued effort for state government takeover of local planning and zoning), but its application would be harmful in specific ways.

The “fair share” requirements proposed by HB 6633 are not realistic to be met by rural towns, including the towns that I represent in northeast Connecticut: 5% of “fair share” goals by year #3, 30% of “fair share” goals by year #5, 60% of “fair share” goals by year #7, and 100% of “fair share” goals by year #10. For towns that do not have much in the way of public infrastructure, public transportation, or even local jobs, this burden is unfair and not likely to succeed. Yet, towns would be forced to try to meet them by state mandate (and without meaningful state help). That is wrong.

For the thirteen towns of the 35th State Senate District (Ashford, Chaplin, Coventry, Eastford, Ellington, Hampton, Stafford, Thompson, Tolland, Union, Vernon, Willington, and Woodstock), the total “fair share” would be an additional 5,804 housing units. The estimated cost based upon a 2023 estimate would be ~\$2 billion dollars.

For the small town of Union, that has 781 people and 381 existing housing, this would mean 76 new housing units. A 20% increase. If you have been to Union, which I have often and which is a lovely town with great people living in it, and which has a large area of it compromised of protected forest, then you would see readily why its “fair share” mandate cannot be achieved, even by year #10.

For the town of Coventry, as another example, its mandated “fair share” would also be a 20% increase, leading to 908 new housing units to be built. That is a large # of new housing units, not able to supported by existing public services and infrastructure.

The current 8-30g affordable laws are untenable for many communities, especially the rural towns in northeastern CT. The State's definition of affordable housing is strict and very difficult to meet. Many towns do not have the public infrastructure, public transportation, population base, and/or local jobs to sustain a big increase in the number of new affordable housing units that HB 6633 would require them to create. Furthermore, forcing towns to provide such large numbers of affordable housing to meet a metric created by the State without regard to the unique factors and features of each town would create a situation by which towns would be destined to fail, of no fault of their own. Any resulting penalties placed upon the towns would be an unnecessary and unfortunate burden on the hard-working families and job creating businesses in each town. It would be like trying to hammer a square peg into a round hole. It does not work. It is wrong. A one-size-fits all, top-down, state-mandated approach to creating affordable housing in our towns already does not work through the current 8-30g system that has been in place for many years. It would be a system that would cause harm to communities across Connecticut. One has to look only at what has happening in New Jersey. A law there enacted some years ago similar to what is trying to be done via HB 6633 has failed to achieve its intended goals, has been mired in bureaucratic and legal quagmires, and has made things worse, not better, for public policy initiatives.

The way to approach housing is to do what towns have been and are already doing: look at the specifics of each community, work with people in each community, develop a plan to address housing that works for each community, and upgrade on an ongoing basis a housing plan that meets the needs and future growth of each community.

People who live in their communities know best about their communities and neighborhoods. HB 6633 would exclude them from the fundamental, democratic process of being able to make local decisions that affect their neighbors, families, children, and themselves. Instead, HB 6633 would create a mechanism by which people who do not live in a person's town, and likely do not even know that person's town, would be making important decisions about that person's town. This would be an unfair process. I am opposed to it.

There is more to housing than just what the State defines as “affordable”. The work that I have been doing in Woodstock not just focuses on “affordable” housing, but also on “attainable” housing. There are many people who are not low income who nevertheless face challenges regarding buying a new home, building a new home, and staying in a home. It is important not to look alone at metrics such as income category, but also to look at other real-world factors, such as how land is developed and the cost of land use permitting. There are other factors that need to be taken into consideration, such as impacts of housing development on the environment and the available land for development (and the land not suitable for development). Furthermore, there are factors that government

and legislation cannot address easily, such as the cost of building materials, the cost of land, and the cost of labor. All of factors do have a play in the overall cost of housing. This is why HB 5326 is a step in the right direction by recognizing that “attainable” housing that includes housing that meet certain income requirements, but not the strict criteria currently in place by the State for “affordable” housing, as counting toward the overall, recognized affordable housing in a municipality.

I am opposed to the inclusion of the definition of “segregation” in HB 6781 because it is a wrong definition in the manner in which it is intended to be applied to each of the 169 towns and cities in Connecticut. Its sets a wrong connotation and impression. If a small, rural town has a “significant concentration of persons of a particular” race or religion, for examples, then does that mean that the town is segregationist? This would not be the case. Yet, this is what the town would be termed according to HB 6781. People are presumed innocent unless proven guilty. HB 6781 flips this. There are laws long in place to fight discrimination. These laws work. They should be continued to be used.

Furthermore, HB 6781 creates an unnecessary state bureaucracy by creating a State Responsible Growth Coordinator of the Office of Responsible Growth. It would be through this office that the State would mandate the burden of municipalities top provide – in fact provide an annual sworn statement about – adhering to a plan to further affordable housing that is approved by the State, regardless if the State has determined that such a plan is actually workable for the municipality. And, if not complying with what may be an unworkable plan by the State, would be penalized unfairly by losing eligibility for discretionary state funding. Why penalize towns for not being able to follow an unrealistic, top-down mandate on them? It would be better to work with towns.

As the Chair of Woodstock's Planning & Zoning Commission, I know that before one starts to create or change land use regulations (zoning), one needs first to research, understand, and think through carefully land use goals (planning). I have been doing it for many years. Do not put the cart before the horse. We need to let each municipality continue to look into what would work and not work for its own people, then set out to create updated housing plans and land use regulations. Let us work together to review the State’s current 8-30g affordable housing law and to determine collaboratively in an inclusive manner what needs to be done to reform the 8-30g law. These are important steps to take before further legislation is enacted regarding the 8-30g law.

It is not about politics. It is about working together to have smart decisions made. I believe that local planning and zoning officials who are directly elected by the people of their towns are good decision-makers for their communities and neighborhoods. Public meetings provide people opportunities to have their voices heard and for Planning and Zoning Commissioners to learn from people.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey A. Gordon, M.D.", with a stylized flourish at the end.

Jeffrey A. Gordon, M.D.
State Senator, 35th District